

ASSEMBLY BILL

No. 2177

Introduced by Assembly Members Torlakson and Beall

February 18, 2010

An act to add Section 18416.5 to the Revenue and Taxation Code, relating to taxation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2177, as introduced, Torlakson. Income and corporation taxes: Franchise Tax Board: administration: electronic communication.

Existing law, among other things, requires the Franchise Tax Board to administer the Personal Income Tax Law and the Corporation Tax Law.

This bill would authorize the Franchise Tax Board, by regulation, to implement an alternative communication method that at the request of a taxpayer would allow specified electronic communications between the Franchise Tax Board and the taxpayer.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 18416.5 is added to the Revenue and
- 2 Taxation Code, to read:
- 3 18416.5. (a) The Franchise Tax Board may, by regulation,
- 4 implement an alternative communication method that, at the request
- 5 of a taxpayer, would allow the Franchise Tax Board to provide
- 6 notification to the taxpayer in a preferred electronic communication
- 7 method designated by the taxpayer that a notice, statement, bill,

1 or other communication required or authorized under Part 10
2 (commencing with Section 17001), this part, or Part 11
3 (commencing with Section 23001) is available for viewing in the
4 taxpayer's limited access secure folder on the Franchise Tax
5 Board's Internet Web site and would allow the taxpayer to file a
6 protest, notification, and other communication to the Franchise
7 Tax Board in a secure manner.

8 (b) Sending electronic notification to a taxpayer pursuant to the
9 taxpayer's request made in accordance with regulations authorized
10 under subdivision (a) shall not be considered a violation of Section
11 19542 or 19542.1.

12 (c) The alternative communication method authorized by this
13 section shall not apply to any notice, statement, bill, protest, or
14 other communication between the Franchise Tax Board and a
15 taxpayer prior to January 1, 2013, or successful implementation
16 of the Taxpayer Folder as a component of the Enterprise Data to
17 Revenue project of the Franchise Tax Board, whichever is later.

18 (d) Notwithstanding any other law regarding the use of United
19 States mail, any notice, statement, bill, protest, and other
20 communication from the Franchise Tax Board to a taxpayer and
21 from a taxpayer to the Franchise Tax Board pursuant to the
22 alternative communication method authorized by this section shall
23 be treated as if it were mailed by United States mail, postage
24 prepaid.